

**Law Offices of
Leo Mikityanskiy**
New York • New Jersey

FEB 16 2011

Leo Mikityanskiy
Attorney at Law
Leo@LMattorney.com
718-256-3210

February 11, 2011

VIA USPS CERTIFIED PRIORITY MAIL

Honorable Leonard B. Sand
United States District Judge
500 Pearl Street
New York, NY 10007

**USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2-16-11**

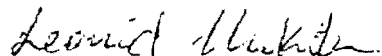
**Re: Mikityanskiy v. Sears, Roebuck and Co. et al.
SDNY Case No. 10-CV-07667 (LBS)**

Dear Judge Sand:

I am the plaintiff in the referenced action. I am writing to the Court to request an extension of time to answer the Motion to Dismiss filed by Defendants on February 4, 2011. I am asking for the extension to finish conferring with the United States Department of Justice concerning the issue of whether this action should be prosecuted any further.

The current response date is February 14, 2011, and there have been no prior requests for extension. Counsel for Defendants agreed to a two-week extension to answer the Motion. The parties agreed to the following schedule: the response to the Motion is due on February 28, the reply is due on March 9, and the oral argument is on Thursday, March 10. I respectfully request the Court to So Order the extension and the schedule the parties agreed upon.

Respectfully Submitted,



Leonid Mikityanskiy

CC: Thomas Crispi, Esq. and Judith Roth, Esq., counsel for defendants (via facsimile and email)

SO ORDEREDDated this 16 day of February, 2011

The Honorable Leonard B. Sand
United States District Judge

Law Offices of Leo Mikityanskiy, P.C., 1517 Voorhies Avenue, Brooklyn, NY 11235

Phone: 718-256-3210 Toll Free: 877-LMLAW-77 (877-565-2977) Fax: 718-256-3011